

REMARKS

Claims 1-6 and 16 are pending in the present application. Claim 15 was previously cancelled and claims 7-14 have been cancelled herein. Claims 1 and 16 are amended herein. No new matter has been added.

The Examiner objected to the drawings as not being correctly designated by a legend such as "prior art." Accordingly, replacement sheets for Figs. 1A, 2A and 3A including the legend "prior art" are included herewith.

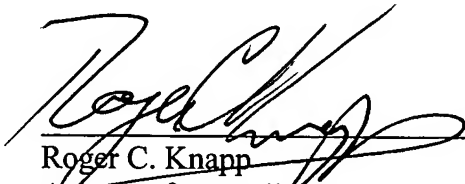
Claims 1 and 2 have been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over U.S. Patent No. 6,037,278 to Koyanagi et al. (hereinafter "Koyanagi") in view of U.S. Patent Application Publication No. 2002/0074311 A1 to Funkenbusch (hereinafter "Funkenbusch"). Claims 3 and 16 have been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over Koyanagi in view of Funkenbusch, as applied to claims 1 and 2, and further in view of U.S. Patent No. 5,795,495 to Meikle (hereinafter "Meikle"). Claims 4-6 have been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over Koyanagi in view of Funkenbusch, as applied to claims 1 and 2, and further in view of U.S. Patent Application Publication No. 2003/0029212 A1 to Im et al. (hereinafter "Im"). The Office Action also objected to claims 7-14 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants respectfully traverse these rejections.

Applicants have amended independent claims 1 and 16 to include subject matter that the Examiner has indicated was allowable, namely, the limitation that "said predetermined endpoint on the wafer being equal to or less than about 50nm." Accordingly, Applicants respectfully request that the rejections of claims 1 and 16 be withdrawn. Claims 2-6 depend from and further limits claim 1 in a patentable sense, and therefore, Applicants respectfully request that the rejections of claims 2-6 be withdrawn as well. (Claims 7-14 have been cancelled herein.)

In view of the above, Applicants respectfully submit that the application is in condition for allowance and request that the Examiner pass the case to issuance. If the Examiner should have any questions, Applicants request that the Examiner contact Applicants' attorney at the address below. No fee is believed due in connection with this filing. However, in the event that there are any fees due, please charge the same, or credit any overpayment, to Deposit Account No. 50-1065.

Respectfully submitted,

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Date


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